

ORDINANCE NO. 2652

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTER 3.54 OF THE REDLANDS MUNICIPAL CODE TO ESTABLISH NEW COMPREHENSIVE TRANSPORTATION IMPROVEMENT FEES AND DELETING CHAPTER 3.58 OF THE REDLANDS MUNICIPAL CODE RELATING TO TRAFFIC SIGNALIZATION FEES

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 3.54 of the Redlands Municipal Code is hereby deleted in its entirety and is rewritten to read as follows:

"Chapter 3.54  
TRANSPORTATION IMPROVEMENT FEES

Sections:

3.54.010	Purpose and Intent.
3.54.020	Definitions.
3.54.030	Compliance with Chapter.
3.54.040	Collection of Transportation Improvement Fees.
3.54.050	Credit for Construction of Improvements.
3.54.060	Required Construction.
3.54.070	Payment.
3.54.080	Fee Schedule.
3.54.090	Adjustment of Fee.

3.54.010 Purpose And Intent:

It is the purpose and intent of this Chapter to implement the City's General Plan to ensure that streets, street improvements and traffic signal improvements and facilities which meet City standards are available concurrent with the need caused by new development within the City. The City Council finds that the implementation of the City's Transportation Improvement program is of benefit to all new development within the City. This Chapter shall establish the methods of financing the construction of the required Transportation Improvements.

3.54.020 Definitions:

Whenever the following terms are used in this Chapter, they shall have the meanings established by this section:

- A. "Development Project" means any discretionary permit or entitlement approved by the City for any use to which land is proposed to be put, and for any building, construction or alteration of land incident thereto.

- B. "Transportation Improvement" means the street or traffic signal improvements based on plans prepared by authorized consulting engineers, the City Public Works Director, or his or her designated representatives, and approved by the City which identify specific collector and arterial streets and traffic signal systems as shown in the City's General Plan and which are planned for construction, reconstruction, widening or installation, along with the appropriate right of way needed for such streets and traffic signals, which are required on a Citywide basis to serve the projected population of the City as established by the City's General Plan.

#### 3.54.030 Compliance With Chapter:

No Development Project shall be approved unless the City finds that the Transportation Improvements necessary to serve the Development Project exist or will be constructed to satisfy the requirements of the City's Transportation Improvement program. To ensure consistency with the program, the City may impose any conditions of approval on the Development Project which are necessary to implement the program. The requirements of this Chapter are imposed as a condition of development to ensure implementation of, and consistency with, the City's General Plan and to protect the public health, safety and welfare by ensuring that adequate Transportation Improvements will be constructed and made available to serve new Development Projects prior to or concurrently with the need.

#### 3.54.040 Collection of Transportation Improvement Fees:

Transportation Improvement fees shall be collected from applicants for Development Projects as provided in this Chapter and in any resolutions adopted by the City Council implementing this Chapter. No building permit shall be issued unless the fees required by this Chapter are first paid and the Development Project is consistent with the City's General Plan. Fees collected pursuant to this Chapter shall be deposited in a special fund established for the purpose of constructing the Transportation Improvements provided for in the City's General Plan and approved capital improvement programs. The fees required by this Chapter are in addition to any other means of financing facilities or improvements identified in the City's General Plan which may be imposed on the development of property under the provisions of state law, this Code or City policy.

#### 3.54.050 Credit For Construction Of Improvements:

The amount of Transportation Improvement fees required to be paid by an applicant for a Development Project shall be reduced by the cost of any Transportation Improvements identified in the City's program report for development impact fees for master planned street and traffic signal improvements which are required to be constructed by the applicant as a condition of the City's approval of a Development Project. The applicant shall be responsible for providing to the City data, satisfactory to the City's Public Works Director, substantiating the applicant's costs for constructing such Transportation Improvements. The determination of the fee credit allowed by this section shall be made by the City Public Works Director.

#### 3.54.060 Required Construction:

Each applicant for a Development Project shall construct such Transportation Improvements for the Development Project as may be required by the City Public Works Director to satisfy the City's Transportation Improvement program. The City Public Works Director shall determine what Transportation Improvements are required to be constructed for each new Development Project within the City. Such determination may be based upon traffic reports furnished by the applicant, the City's Transportation Improvement program and plans, and such other methods as determined by the City Public Works Director.

#### 3.54.070 Payment:

The transportation fees established by this Chapter shall be paid by the applicant for a Development Project as a condition of, and at the time of issuance, a building permit for the Development Project. The City Council has determined that the fees established by this Chapter shall be collected for Transportation Improvements for which an account has been established and funds appropriated and for which the City has adopted a proposed construction schedule or plan prior to the dates of final inspection or issuance of a certificate of occupancy for the new Development Project paying the fees, and/or the fees established by this Chapter are to reimburse the City for expenditures previously made.

#### 3.54.080 Establishment of Fee:


In accordance with the City's General Plan, the Transportation Improvement fees shall cover one hundred percent (100%) of the City's estimated costs for Transportation Improvements required by new Development Projects. The Transportation Improvement fees to be paid by a Development Project shall be based upon a determination of the number of vehicle trips generated by the Development Project, and the specific Transportation Improvement fee per trip generated shall be established by resolution of the City Council. The Transportation Improvement fees collected shall be allocated to various Transportation Improvements comprising the City's street system, traffic signal system and freeway interchanges in percentages established by resolution of the City Council."

#### 3.54.090 Adjustment of Fee:

On July 1<sup>st</sup> of each fiscal year, beginning in July 2007, the Director of Finance shall make annual adjustments to the specific amounts of fees adopted by resolution of the City Council by a percentage equal to the percentage change in the (Engineering News Record's Construction Cost Index – twenty cities annual average) for the preceding twelve (12) month period. This adjustment will offset the effects of inflation – related construction cost increase (or any deflation related decreases). If this index should cease publication, the Director of Finance shall use any appropriate official index published by the Bureau of Labor Statistics, or similar agency as may then exist or may then be most nearly equivalent thereto. Land costs may be evaluated annually and adjusted as necessary based on the current market conditions at the time.

Section 2. Chapter 3.58 of the Redlands Municipal Code, entitled "Traffic Signalization Fee," is hereby deleted in its entirety.

Section 3. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect as provided by law.

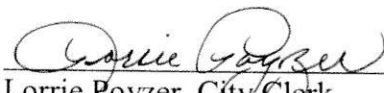
  
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Mayor of the City of Redlands

ATTEST:

  
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City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the forgoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 19th day of December, 2006 by the following vote:

AYES:	Councilmembers Gilbreath, Gil, Gallagher, Aguilar; Mayor Harrison
NOES:	None
ABSENT:	None
ABSTAIN:	None

  
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Lorrie Poyzer, City Clerk